

Message Text

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FOLLOWING REPEAT STATE 218599 ACTION NEW DELHI 03 OCT

QUOTE

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E.O. 11652:GDS

TAGS: OGEN PLOS IN

SUBJECT: TRANS HURON TANKER

REFERENCE: A. NEW DELHI 13122; B. NEW DELHI 13150; C.

NEW DELHI 13066

1. DEPARTMENT HAS CONTACTED SEA TRAIN. COMPANY SPOKESMAN SAID VESSEL HAS BEEN COMPLETELY ABANDONED, CREW ON WAY BACK TO U.S. VIA BOMBAY. HE SAID GOI HAS INFORMED HIS FIRM COST OF CLEAN UP MEASURES UNDERTAKEN BY GOI WILL HAVE TO BE PAID FOR BY SEA TRAIN OR SUBSIDIARY. HE STATED FURTHER THAT HIS FIRM RECOGNIZES LEGAL OBLIGATION TO PAY FOR SUCH OPERATIONS. FIRM HAS NORMAL INSURANCE PLUS COVERAGE UNDER TOVALOP, A SPECIAL INDUSTRY-WIDE OIL SPILL DAMAGE POLICY CARRIED BY TANKER OPERATORS. FIRM REPRESENTATIVE ALSO SAID INSURANCE COMPANY REPRESENTATIVES BEING SENT TO SCENE OF WRECK, SHOULD ARRIVE FRIDAY.

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2. NEITHER USG GENERALLY NOR DOD SPECIFICALLY HAVE

LEGAL RESPONSIBILITY OR LIABILITY FOR POLLUTION CAUSED BY OIL FROM SHIP. WHILE VESSEL CHARTERED TO CARRY DOD OIL, ENTIRE LEGAL RESPONSIBILITY FOR SPILLAGE LIES WITH SEA TRAIN. USG RETAINS TITLE TO OIL SUBJECT TO SALVAGE RIGHTS, OF ANY SALVOR AS PROVIDED BY APPLICABLE MARITIME LAW. SEA TRAIN HAS CONTINUING RESPONSIBILITY TO SAFE-GUARD CARGO.

3. STATE DEPARTMENT GEOGRAPHER CONCURS SHIP RAN AGROUND IN INDIAN TERRITORIAL WATERS, AND THAT PREVAILING CURRENTS LIKELY RESULT IN SUBSTANTIAL DEPOSIT OF OIL ON KERALA COAST.

4. WHILE US COAST GUARD DOES HAVE SOME CAPABILITY HIGH SEAS CONTAINMENT OIL SPILLAGES, COAST GUARD ADVISES THIS CAPABILITY FULLY COMMITTED AT PRESENT.

5. SUGGESTED PRESS GUIDANCE BEING SENT BY SEPTEL. KISSINGER UNQUOTE

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